

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

GARY T. WINNETT, et al.,	)	
	)	
Plaintiffs,	)	Case No. 3:06-cv-00235
	)	
v.	)	Hon. Aleta A. Trauger
	)	Mag. Judge Joe B. Brown
CATERPILLAR INC.,	)	
	)	CLASS ACTION
Defendant.	)	
	)	

**PLAINTIFFS' NOTICE OF APPEAL**

Notice is hereby given that plaintiffs Gary T. Winnett, Freda Jackson-Chittum, Casper R. Harris, Michael J. Finn, William H. Dailey, Calvin E. Grogan, Kenneth C. Hammer and Charles A. Waterfield, individually and in their specific capacity as representatives of the certified class and subclasses, hereby appeal to the United States Court of Appeals for the Sixth Circuit from the Order and accompanying memorandum granting Defendants' Motion for Reconsideration of Court's Summary Judgment Ruling [Docket Nos. 494 & 495] and from the June 24, 2011 Order dismissing this case [Docket No. 536] and the judgment entered in this action on June 27, 2011 [Docket 537]. This appeal is filed on behalf of the named plaintiffs, the entire certified class, and each of the certified subclasses.

Dated: July 22, 2011

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on July 22, 2011, a true and correct copy of the foregoing pleading was filed electronically with the Court. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's electronic filing system.

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